

JPL:JBD
F. #2023R00495

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

DOUGLAS NOEL,

Defendant.

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FILED UNDER SEAL

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF APPLICATION FOR AN
ARREST WARRANT
(18 U.S.C. §§ 2251(a)(1) and 2251(e))

Case No. 23-MJ- 634

EASTERN DISTRICT OF NEW YORK, SS:

THOMAS JACQUES, being duly sworn, deposes and states that he is an
Special Agent with the United States Department of Homeland Security, Homeland Security
Investigations, duly appointed according to law and acting as such.

On or about and between May 12, 2023 and June 8, 2023, within the Eastern
District of New York and elsewhere, the defendant DOUGLAS NOEL did knowingly and
intentionally attempt to employ, use, persuade, induce, entice and coerce a minor to engage
in sexually explicit conduct for the purpose of producing one or more visual depictions of
such conduct, knowing and having reason to know that such visual depictions would be
transported and transmitted using a means and facility of interstate commerce and which
would be in and affecting interstate commerce, which visual depictions were produced and
transmitted using materials that had been mailed, shipped and transported in and affecting
interstate and foreign commerce by any means, including by computer, and which visual

depictions were actually transported and transmitted using a means and facility of interstate commerce and in and affecting interstate commerce.

(Title 18, United States Code, Section 2251(a)(1) and 2251(e))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and have been since December 2016. I am assigned to the Child Exploitation Investigations Unit. During my tenure with HSI, I have participated in the investigation of cases involving crimes against children. Specifically, I have experience investigating cases involving production, receipt, distribution, and possession of child pornography and have conducted physical and electronic surveillance, executed search warrants, reviewed and analyzed electronic devices, and interviewed witnesses. Through my experience, I have become familiar with the manner in which acts of sexual exploitation of minors are committed and with the behavior of individuals who collect and view child pornography.

2. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

3. HSI and other law enforcement agencies have been investigating the coercion and enticement of minors by the defendant DOUGLAS NOEL using electronic devices and electronic media. As described below, NOEL has communicated with individuals he believes to be minors using the internet and social media and requested sexually explicit images of those individuals.

4. On or about May 1, 2023, law enforcement created an Instagram account that was intended to appear as though it belonged to a 15-year-old girl (the “Undercover Account”). The Undercover Account indicated that the user was a 15-year-old girl in Springfield, Massachusetts; featured several pictures of an undercover female agent that were filtered to make the agent appear younger; and included the hashtags, “#15thbirthday, #teenmodel, #teenfashion and #girl.”

5. On or about May 4, 2023, an Instagram account with the username “dougnoel.photography” (the “NOEL Account”) posted a comment on one of the photographs on the Undercover Account, saying, “You’re very pretty. I’d love to do a photoshoot with you.” As explained further below, the defendant DOUGLAS NOEL was the user of the NOEL Account. Over the next several days, NOEL, via the NOEL Account, and the Undercover Account exchanged several direct messages over Instagram. HSI agents sent all messages from the Undercover Account. Among other things, on or about May 6, 2023, NOEL asked the Undercover Account, in sum and substance, to come stay with him at his apartment in New York City for the weekend. Later that day, the Undercover Account told NOEL that she was only 15 years old, to which NOEL responded, “I kind of figured

with the whole mom thing² . . . I don't mind you being 15. I still think you're gorgeous."

Later on, NOEL wrote, "TBH [To Be Honest], I saw the tag about your 15th birthday in your first post, so I figured you'd just turned 15. But by then we'd already been talking about visiting and I didn't want to come across as a creep [sic] by mentioning it. Cause I really like you."

6. A few days later, on or about May 8, 2023, the defendant DOUGLAS NOEL, via the NOEL Account, made explicitly sexual comments to the Undercover Account. Among other things, NOEL wrote, "well I guess I can admit now that I've had a crush on you for a while now. And I really want to kiss you . . . Do you want me to teach you about sex and take your virginity?" Later that same day, NOEL wrote, "We would go slow. Explore each other's bodies. I'd suck on your nipple and kiss you. Touch you. Make you feel good before we even have sex."

7. Shortly thereafter, beginning on or about May 12, 2023, the defendant DOUGLAS NOEL, via the NOEL Account, began asking the Undercover Account to send him sexually explicit pictures. Initially, NOEL asked the Undercover Account to send him pictures of her breasts, which the Undercover Account did not do. NOEL and the Undercover Account remained in contact for the next several weeks, and on or about June 5, 2023, NOEL wrote to the Undercover Account, among other things, "You could go to the bathroom or your bedroom and take your shirt and bra off and pinch your nipples and take a selfie for me. And if you want to spread your 15-year-old pussy open for me that would

² I understand NOEL's reference to "the mom thing," to refer to an earlier statement by the Undercover Account that her mother was going away in June and that she would be home alone at that time.

turn me on so much. If you wanted to rub your clit for me and say ‘fuck my 15 year old pussy with your 45 year old cock daddy’ in a little video that would very hot too.” The Undercover Account then indicated to NOEL that the Undercover Account had taken pictures requested by NOEL but did not want to send them. NOEL subsequently wrote to the Undercover Account, “I’ve been thinking about those pictures you took. It’s so hot you did that for me. I was thinking you could send them so they would disappear.” No photographs were ever taken or sent by the Undercover Account.

8. On or about June 8, 2023, an undercover officer conducted a live video call with the defendant DOUGLAS NOEL. The call was recorded. That call provided a clear view of NOEL’s face, which HSI agents compared to pictures of NOEL from the Department of Motor Vehicles and confirmed that the person was, in fact, NOEL. Additionally, NOEL was wearing brown glasses and a dark red t-shirt. Among other things, during that call, NOEL asked the undercover officer if she was “nervous about us having sex for the first time” and proceeded to discuss taking naked pictures of the undercover officer when they met up. When NOEL asked the undercover officer what grade she was in, the undercover officer responded that she did not want to tell him. NOEL then responded, “you’re afraid that I won’t want to have sex with a middle school girl but I do.”

9. Pursuant to a judicially authorized search warrant, Meta provided HSI with information regarding the NOEL Account indicating that the defendant DOUGLAS NOEL has attempted to entice or solicit other individuals identifying as minor children. For example, in messages with an Instagram user who identified herself to NOEL as a 13-year-old female, NOEL wrote, among other things, “I’d have slid my adult cock into your child pussy at 11 for sure . . . say rape my 13 year old underage pussy with your 44 year old cock

. . . I know it's wrong to have sex with 13 year old girls but I'm going to fill all three of you with my cum . . . I want to make child porn with you." In another chat with an individual who identified herself to NOEL as a 15-year-old female, NOEL wrote, among other things, "Would you want me to touch you when you were 8? . . . May I see you naked beautiful? . . . Would you spread your legs for me so I can use your child pussy."

10. Additionally, Meta indicated that the chats referenced above sent to and from the NOEL Account came from the internet protocol ("IP") address 67.250.86.135. Other internet service provider records obtained during the investigation indicated that the 67.250.86.135 IP address was subscribed to by the defendant DOUGLAS NOEL at a residential address located in the Astoria neighborhood of Queens, New York (the "Astoria Address"). Law enforcement subsequently learned on or about July 5, 2023 that NOEL had moved from the Astoria Address to a new location in the Bushwick neighborhood of Brooklyn, New York (the "Bushwick Address"). Physical surveillance of the Bushwick Address conducted by HSI on or about July 5, 2023 confirmed that a person matching NOEL's description and identifying himself as NOEL lived at the Bushwick Address.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant DOUGLAS NOEL so that he may be dealt with according to law.

IT IS FURTHER REQUESTED that, because public filing of this document at this time could result in a risk of flight by the defendant, as well as jeopardize the government's investigation or the lives and safety of witnesses and law enforcement officers, all papers submitted in support of this application, including the complaint and arrest warrant, be sealed until further order of the Court.

/s/ Thomas Jacques

THOMAS JACQUES

Special Agent,

United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me by telephone this
9th day of July, 2023

Hon. Ramon E. Reyes, Jr.

Digitally signed by Hon. Ramon E. Reyes, Jr.
Date: 2023.07.09 19:16:23 -04'00'

THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK